



License Commission, Room 118
Phone: 978-420-3623 Fax: 978-373-8490
License_comm@cityofhaverhill.com

The Haverhill License Commission held a **Meeting** on **Thursday July 7 2016 at 6:00 PM,**
Room 202, City Hall.

Attendees: Chairman Joseph Edwards, Commissioner Sewell and Commissioner Coco
Clerk Laura Angus

1. APPROVAL OF THE MINUTES:

APPROVAL OF MINUTES OF JUNE 2 2016

Motion to approve the minutes made by Commissioner Sewell seconded by Commissioner Coco. No public comment on this matter. Vote unanimous, motion passed.

2. CONTINUED BUSINESS

NO SCHEDULE

3. MISCELLANEOUS APPLICATIONS/REQUESTS

NO SCHEDULE

4. ONE DAY APPLICATIONS

MEGAN HAMMER AND DAVID RATCLIFFE
33 LEROY AVENUE

APPLICATION FOR ONE DAY ALL ALCOHOL LICENSE FOR WEDDING RECEPTION AT WINNEKENNI CASTLE ON OCTOBER 1 2016 FROM 11:30 AM TO 5:00 PM

David Ratcliffe appeared on behalf of both applicants. This license is for a wedding reception at Winnekenni Castle. Chairman Edwards reminded the applicant that he must buy his alcohol from a licensed distributor and any leftovers can only be returned to the distributor. Motion to approve the application made by Commissioner Sewell seconded by Commissioner Coco. No public comment on this matter. Vote unanimous, motion passed.

5. ENTERTAINMENT APPLICATIONS

TERRI BARLOW, MANAGER
ACMBT, LLC, D/B/A TERRI'S PLACE
35 WASHINGTON STREET

APPLICATION TO AMEND THE ENTERTAINMENT LICENSE TO INCLUDE LIVE BANDS WITH UP TO THREE (3) INSTRUMENTS AND UP TO FOUR (4) VOCAL PERFORMERS

Terri Barlow appeared on behalf of the applicant. She is trying to meet the requests of the current patrons and keep business booming. The Commission inquired about space and whether this would be inside or outside. Motion to approve the application made by Commissioner Coco seconded by Commissioner Sewell. No public comment on this matter. Vote unanimous, motion passed.

6. COMMON VICTUALLER APPLICATIONS

A. DANIEL PICCOLO, MANAGER

JORADA INC., D/B/A LATITUDE SPORTS CLUB
3 FERRY STREET

APPLICATION FOR NEW COMMON VICTUALLER LICENSE AND NEW ENTERTAINMENT LICENSE FOR RADIO, TELEVISION AND AMPLIFIED MUSIC

Daniel Piccolo appeared on behalf of the applicant. Chairman Edwards inquired about whether he was serving food at the club. They have been serving food for a while, but did not know they needed a Common Victualler License. Motion to approve the applications made by Commissioner Sewell seconded by Commissioner Coco. No public comment on this matter. Vote unanimous, motion passed.

B. DANIEL ROCHE, MANAGER

HORSESHOE SUNDAE LLC, D/B/A BIGGART'S ICE CREAM
506 AMESBURY ROAD

APPLICATION FOR TRANSFER OF COMMON VICTUALLER LICENSE – PENDING RECEIPT OF APPROVAL OF FIRE INSPECTOR

Daniel Roche appeared on behalf of the applicant. Commissioner Sewell inquired about the purchase of the business and the experience of the applicant. Motion to approve the application made by Commissioner Coco seconded by Commissioner Sewell. No public comment on this matter. Vote unanimous, motion passed.

C. SALVATORE DEFranco, MANAGER

BATTLEGROUND COFFEE COMPANY, LLC, D/B/A BATTLEGROUND COFFEE COMPANY
39 WASHINGTON STREET

APPLICATION FOR NEW COMMON VICTUALLER LICENSE AND NEW ENTERTAINMENT LICENSE FOR RADIO, JUKEBOX, TELEVISION, AMPLIFIERS, KARAOKE, DJ, DANCING BY PATRONS ONLY, AMPLIFIED MUSIC, MOVIES, LIVE PERFORMANCE WITH UP TO FIVE INSTRUMENTS AND UP TO FIVE VOCAL PERFORMERS, COMEDY SHOW WITH UP TO FIVE COMEDIANS- PENDING RECEIPT OF APPROVAL OF THE FIRE INSPECTOR AND ISSUANCE OF A BUSINESS OCCUPANCY PERMIT

Salvatore DeFranco and Dana Perry both appeared on behalf of the applicant. Commissioner Sewell reminded the applicant that they cannot charge for the movies they show. Motion to approve the applications made by Commissioner Coco seconded by Commissioner Sewell. No public comment on this matter. Vote unanimous, motion passed.

7. OUTDOOR DINING APPLICATIONS

NO SCHEDULE

8. ALCOHOL/ABCC APPLICATIONS

A. RICHARD WILLETT, MANAGER

BRES, INC., D/B/A THE LASTING ROOM
122 WASHINGTON STREET

APPLICATION FOR ALTERATION OF PREMISES ADDING AN EXISTING DECK TO THE LICENSED PREMISES

Brad Andrews appeared on behalf of the applicant. Chairman Edwards explained that this matter is on the agenda due to the fact that the existing deck is not currently part of the licensed premises and appears to have been an oversight all these years. Mr. Andrews indicated that they have posted signs and limited the amount of people on the deck until this matter is resolved. Motion to approve the application made by Commissioner Coco, seconded by Commissioner Sewell. No public comment on this matter. Vote unanimous, motion passed.

B. SALVATORE DEFranco, MANAGER

BATTLEGROUND COFFEE COMPANY, LLC, D/B/A BATTLEGROUND COFFEE COMPANY
39 WASHINGTON STREET

RECONSIDERATION OF APPLICATION FOR NEW SECTION 12 RESTAURANT WINE AND MALT ONLY LICENSE DUE TO CHANGE IN THE LLC MEMBERSHIP

Salvatore DeFranco and Dana Perry both appeared on behalf of the applicant. This application is being reconsidered due to a restructuring of the LLC. Nothing else has changed on the application. Motion to approve the application made by Commissioner Sewell seconded by Commissioner Coco. No public comment on this matter. Vote unanimous, motion passed.

9. MOTOR VEHICLE APPLICATIONS

NO SCHEDULE

10. ISSUES FOR DISCUSSION

A. DEBORAH INGALLS

BUTLERS AND BARS
30 OSGOOD STREET, METHUEN, MA 01844

PROCEDURES FOR ONE DAY LIQUOR LICENSES

Deborah Ingalls appeared. The Commission and Deborah had a discussion on the appropriate procedures for one day liquor licenses and the purchase of the alcohol for these events.

B. JOSEPH DiFRAIA, MANAGER

CHIT CHAT LOUNGE AND BAR LLC, D/B/A CHIT CHAT LOUNGE
101-103 WASHINGTON STREET

REQUEST FOR OPEN MIC NIGHT ON TUESDAY NIGHTS FROM 6:00 PM TO 8:00 PM FOR UNDERAGE PERFORMERS

Joseph DiFraia appeared on behalf of the applicant. Captain Pistone of the Haverhill Police Department indicated that Chief DeNaro had no objections as long as each underage performer had a parent or guardian present and the underage performers do not go into the bar area. Mr. DiFraia would like to extend the hours to 6:30 PM to 9:00 PM. He also inquired if it would be acceptable to allow anyone over the age of 18 to be allowed to perform without a parent or guardian available. He

has wrist bands to use to clearly identify who is over 21. Due to this new request, the Commission decided to postpone the decision until Police Chief DeNaro could be reached for input. This item will be reconsidered at the August meeting.

11. SHOW CAUSE HEARINGS

A. SAHAB CHOWDHURY, MANAGER

SHAPLA INTERNATIONAL LTD, D/B/A CONVENIENCE STATION
105 WHITE STREET

SHOW CAUSE HEARING: ALLEGED VIOLATION OF 204 CMR 2.05(2) PERMITTING AN ILLEGALITY ON THE LICENSED PREMISES, TO WIT: CHAPTER 138, SECTION 4 SALE OR DELIVERY OF AN ALCOHOLIC BEVERAGE TO A PERSON UNDER TWENTY-ONE YEARS OF AGE ON OR ABOUT JUNE 13 2016 AT APPROXIMATELY 20:03.

Attorney Samuel Vitali appeared on behalf of the licensee. Sahab Chowdhury and Tapan Chowdhury also appeared. Captain Pistone of the Haverhill Police Department stated that this compliance check was done by the Haverhill Police Department only and there was no involvement by the ABCC. He read the report into the record. Attorney Vitali was concerned that the underage person was almost 21 and inquired about whether the ABCC guidelines for conducting a compliance check were met. Captain Pistone stated that all the guidelines were followed and in the future that information will be available to the Commission. Attorney Vitali indicated that he was satisfied and ask the Commissioners to consider that the store was busy and two clerks were working at the register. The clerk completing the sale assumed incorrectly that the other clerk had already checked the identification of the purchaser. They are requiring all the clerks to be TIPS certified and they have posted the warning signs in the store. The Commission agreed that a violation had occurred. Chairman Edwards stated that they must check identifications of everyone. They need to understand the seriousness of this matter. Motion to place the licensee on probation for one year and for the licensee to close at 6:00 PM as to alcohol sales on July 14th, 15th and 16th 2016 made by Commissioner Coco, seconded by Commissioner Sewell. No public comment on this matter. Vote unanimous, motion passed.

B. ANKIT PATEL, MANAGER

PATEL'S LIQUORS LLC, D/B/A HARRY'S LIQUORS
239 LINCOLN AVENUE

SHOW CAUSE HEARING: ALLEGED VIOLATION OF 204 CMR 2.05(2) PERMITTING AN ILLEGALITY ON THE LICENSED PREMISES, TO WIT: CHAPTER 138, SECTION 4 SALE OR DELIVERY OF AN ALCOHOLIC BEVERAGE TO A PERSON UNDER TWENTY-ONE YEARS OF AGE ON OR ABOUT JUNE 13 2016 AT APPROXIMATELY 20:25.

Ankit Patel appeared on behalf of the licensee. Captain Pistone of the Haverhill Police Department read the report into the record. Chairman Edwards stated that they have a nice store but they must refrain from selling alcohol to minors. Mr. Patel indicated that this behavior is not what they want to see. It was a mistake on the part of the clerk, who was placed on probation for one week after this incident. They have their own sting operations in the store and they always pass their own. They cannot seem to pass the Haverhill Police stings. Motion to place the licensee on probation for one year and for the licensee to close at 6:00 PM as to alcohol sales on July 14th, 15th and 16th 2016 made by Commissioner Coco, seconded by Commissioner Sewell. No public comment on this matter. Vote unanimous, motion passed.

12. COMMUNICATIONS

NO SCHEDULE

13. OTHER BUSINESS

NO SCHEDULE

MEETING ADJOURNED 6:53 PM

ATTEST: LAURA D ANGUS
LAURA D ANGUS, CLERK